

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

<b>RUSSELL GODFREY, Individually and as Representative of the Estate of PAMELIA GODFREY</b>	§ § § § § § §	<b>Civil Action No. 3-09CV0565-K JURY</b>
<b>v.</b>		
<b>AUTOZONE TEXAS, L.P.</b>		

**DEFENDANT AUTOZONE TEXAS, L.P.'S INITIAL DISCLOSURE RESPONSES**

TO: PLAINTIFF, Russell Godfrey, by and through his attorney of record, Langdon Smith, Jim S. Adler & Associates, 2711 N. Haskell Ave, Suite 2100, Dallas TX 75204-2910.

**AUTOZONE TEXAS, L.P.** makes these their initial disclosures as required by the  
Federal Rules of Civil Procedure 26(a)(1)(A);

**A. INDIVIDUALS WITH DISCOVERABLE INFORMATION**

1. The name, and if known, the address and telephone number of each individual likely to have discoverable information relevant to the disputed facts alleged with particularity in the pleadings, identifying the subjects of the information that the disclosing party may use to support its claims or defenses, unless the use would be solely for impeachment:

**AutoZone Texas, L.P.  
c/o Henry S. Wehrmann  
9330 LBJ Freeway, Suite 1400  
Dallas, TX 75243  
972-231-6001**

**Defendant. Has knowledge of the facts and circumstances of the accident, the sprinkler system operation, the condition of the roadway and the topography of the accident scene.;**

**Steve Crowley  
c/o Henry S. Wehrmann  
9330 LBJ Freeway, Suite 1400  
Dallas, TX 75243  
972-231-6001**

**Employee of Defendant AutoZone. Has knowledge of the sprinkler system, conducted inspection and testing of the sprinkler system subsequent to the accident in question.;**

**Dallas County Sheriff's Department  
and/or their records custodian  
Frank Crowley Courts Building  
133 N Industrial Boulevard, Lb 31 . 1st Floor  
Dallas, Texas 75207-4313  
214-653-3450**

**Investigated the car accident; has knowledge of seatbelt usage of Decedent.;**

**Ashley Duren  
last known address;  
2098 Nokes Rd.  
Ferris, TX 75125  
Telephone number unknown  
Passenger in Decedent's vehicle at the time of the car accident;**

**E. Embry  
Badge #521  
Dallas Sheriff's Dept.  
Investigator Vehicle Crimes Unit  
Traffic Division  
1512 E. Langdon Rd.  
Dallas, TX 75241  
972-225-6110  
Investigated the car accident; has knowledge of seatbelt usage of Decedent.;**

**Sirrena English  
2401 Sheilah Dr.  
Balche Springs, TX 75180  
214-774-7765  
Witness identified by Plaintiff.;**

**Gail Glenn  
Unknown address  
Unknown telephone number  
Father of Decedent;**

**Russell Godfrey  
c/o Langdon Smith  
Jim S. Adler P.C. & Associates  
City Place Center, Lock Box 40  
2711 N. Haskell Ave., Suite 2100**

**Dallas, TX 75204  
214-220-3203  
Plaintiff;**

**K. Gray  
Badge #900  
Dallas Sherriff's Dept.  
133 North Industrial Rd.  
Dallas, TX 75207  
214-749-8641  
Investigated the car accident; has knowledge of seatbelt usage of Decedent.;**

**Ron Harness  
Building Official  
City of Seagoville  
702 N. Hwy. 175  
Seagoville, TX 75159  
972-287-6829  
Has knowledge of the ordinances of the City of Seagoville as regards sprinkler systems  
and AutoZone's compliance with same.;**

**Robin Flemming Hebert  
c/o Henry S. Wehrmann  
9330 LBJ Freeway, Suite 1400  
Dallas, TX 75243  
972-231-6001  
Employee of AutoZone. Inspected sprinkler system subsequent to the accident;**

**Loretta Hill  
Unknown address  
Unknown telephone number  
Mother of Decedent;**

**Johnny Lucky  
c/o Henry S. Wehrmann  
9330 LBJ Freeway, Suite 1400  
Dallas, TX 75243  
972-231-6001  
Employee of AutoZone, inspected sprinkler system in question.;**

**Julian Martin  
c/o Henry S. Wehrmann  
9330 LBJ Freeway, Suite 1400  
Dallas, TX 75243**

**972-231-6001**

**Store manager at the AutoZone store in question he also has knowledge of sprinkler operation;**

**J. Keith Pinckard, M.D., Ph.D.**

**5230 Medical Center Drive**

**Dallas, TX 75235**

**214-920-5900**

**Medical Examiner who examined Decedent;**

**Ray Pouland**

**c/o Henry S. Wehrmann**

**9330 LBJ Freeway, Suite 1400**

**Dallas, TX 75243**

**972-231-6001**

**Employee of AutoZone spoke with investigating officer, has knowledge of sprinkler system;**

**Matthew Randall**

**Badge # 534**

**and/or his records custodians**

**521 N. Industrial Blvd.**

**Dallas, TX 75207**

**214-749-8641**

**Physical Evidence Detective who investigated the car accident in question.**

#### **B. RELEVANT DOCUMENTS AND TANGIBLE THINGS**

2. A copy of, or a description by category and location of, all documents, data compilations, and tangible things in the possession, custody, or control of the disclosing party and may use to support its claims or defenses, unless the use would be solely for impeachment:

**Accident report generated by the Dallas Sheriff's Department relating to the collision and photographs of the accident scene taken by investigating officers attached hereto and bated stamped AZ-000001 through AZ-000147; autopsy report attached hereto as AZ-000150.**

**DVD marked "Pictures Disk 1" with pictures of sprinkler system testing at AutoZone store in question. There also exists a Video of the sprinkler system testing. However, the copy of the disk prepared for production was defective and Defendant will supplement with a better copy.**

#### **C. INFORMATION RELATED TO CALCULATION OF DAMAGES**

3. A computation of any category of damages claimed by the disclosing party, making available for inspection and copying as under Rule 34 the documents or other evidentiary material, not privileged or protected from disclosure, on which each computation is based, including materials bearing on the nature and extent of injuries suffered:

**Defendant has not prepared any computations at the present time as Defendant needs discovery from Plaintiff in order to accomplish same.**

D. INSURANCE

4. For inspection and copying as under Rule 34, any insurance agreement under which an insurance business may be liable to satisfy all or part of a possible judgment in the action or to indemnify or reimburse for payments made to satisfy the judgement:

**Defendant is self insured for this loss. There does exist an excess policy and a declarations page has been requested from the carrier and will be provided upon receipt.**

Respectfully submitted,

**STRADLEY & WRIGHT**

By:

**HENRY S. WEHRMANN, P.C.**

State Bar No. 21076400

Abrams Centre

9330 LBJ Freeway, Suite 1400

Dallas, TX 75243

972/231-6001 Telephone

972/231-7004 Facsimile

**ATTORNEY FOR DEFENDANT**

**AUTOZONE TEXAS, L.P.**

**CERTIFICATE OF SERVICE**

A copy of the foregoing has been sent via facsimile and via certified mail, return receipt

requested, to all counsel of record on this the \_\_\_\_\_ day of June, 2009.

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**HENRY S. WEHRMANN**